

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WALTER BECK CORPORATION d/b/a Civil Action No. 04-348-Erie
THE RAINBOW INN,

Plaintiff,

Judge Maurice B. Cohill, Jr.

vs.

SAFECO CORPORATION, AMERICAN
ECONOMY INSURANCE COMPANY, and
AMERICAN STATES INSURANCE COMPANY,

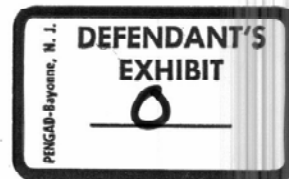
ORIGINAL

Defendants.

Deposition of: Harold Beck
Taken by: Defendants
Date: November 11, 2006
Time: 11:00 a.m. - 1:21 p.m.
Location: Holiday Inn Express,
The Villages
1205 Avenida Central
Lady Lake, Florida
Reported by: Leslie Richmond, RPR

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(407) 425-6789



1 next?

2 A. He paid the -- we got a letter denying the claim.

3 Q. And what was your reaction to that?

4 A. I tried to get in touch with him. He wouldn't
5 respond.

6 Q. Okay. Did you ever get in touch with him after
7 that?

8 A. Finally. When I went to Sundahl in June and told
9 them I was going to sue them.

10 Q. Sue Sundahl?

11 A. Yeah. Sue Sundahl. And I'm going to ruin you so
12 nobody will ever buy any policy from you here.

13 Q. So Sundahl put you back in touch with Smith?

14 A. Sundahl got Smith in touch with me.

15 Q. What happened next?

16 A. Smith wanted me to give him records of inspections
17 and all that. But he hadn't been dealing in good faith with
18 me by that time and I could just see him just dragging his
19 feet. He was giving me the run around. And that's when I
20 started looking for an attorney.

21 Q. So when was the first time Mr. Smith asked you for
22 records of maintenance of the fire suppression system?

23 A. June.

24 Q. And --

25 A. July actually. I think it was July. It wasn't

1 June.

2 Q. Of 2004?

3 A. Yeah.

4 Q. And did you ever provide any information to Mr.
5 Smith in response to that request?

6 A. No.

7 Q. And your reason for that was?

8 A. Any records I had were burned up in the fire to
9 begin with and I wasn't about to go reconstructing something
10 for him when he wasn't dealing in good faith with me. He was
11 ignoring -- I sent him probably four or five different
12 letters. I attempted to call him probably 40 or 50 times and
13 he wouldn't respond to me at all. So at that point I had had
14 enough.

15 Q. Understood. Did Mr. Smith ever ask you to simply
16 give him the name of the people who maintained your fire
17 suppression system?

18 A. Never.

19 Q. Do you recall any letters that he may have sent
20 that asked you to give him the name?

21 A. In July, June or July, he sent me a registered
22 letter asking me for this stuff, but by that time I was
23 looking for a lawyer.

24 Q. Okay. So you were in no way interested in dealing
25 with Mr. Smith anymore by June or July when he was requesting

1 that information?

2 A. That's right.

3 Q. And you made the decision not to provide him that
4 information because you were looking for counsel to file a
5 lawsuit?

6 MR. LANE: Objection. What information are you
7 talking about, because I believe actually if you look in
8 the letter it asks for the records which Mr. Beck has
9 already testified were burned in the fire to the extent
10 they existed.

11 Q. Did Mr. Smith ever ask you to simply provide him
12 the name of the people who did the maintenance? Do you
13 recall that?

14 A. No. No.

15 Q. So there was never any request from Mr. Smith or
16 from the insurance company?

17 A. Not that I recall.

18 Q. If they had asked you for that information, would
19 you have provided it at that time?

20 A. If they had asked me for the information in January
21 or February or March or April, I would have cooperated. You
22 know, if he would have said, hey, it appears there's a
23 misunderstanding here. I'm talking about an Ancil system,
24 you're talking about a Halon system. I think we're both
25 talking about a fire suppression system. I'm sorry that I